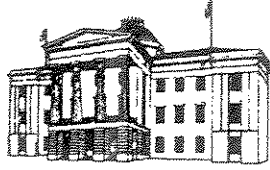


State of North Carolina



BEVERLY EAVES PERDUE
GOVERNOR

EXECUTIVE ORDER NO. 14

EQUAL EMPLOYMENT OPPORTUNITY

WHEREAS, the State of North Carolina is committed to providing equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, creed, national origin, sex, age, or disabling condition; and

WHEREAS, the State recognizes that effective and efficient government requires the talents, skills, and abilities of all available human resources; and

WHEREAS, the State acknowledges the need to strive for diversity in all occupational categories; and

WHEREAS, this administration endorses taking positive approaches to ensure equal employment opportunity; and

WHEREAS, this administration believes that the personnel practices of state government should be nondiscriminatory and promote public confidence in the fairness and integrity of government; and

WHEREAS, fair and impartial treatment of all employees in all terms and conditions of employment is in the best interest of the State; and

WHEREAS, positive and aggressive steps by management are necessary in preventing discrimination, promoting fairness, and supporting a work environment where employees are valued for their strengths and encouraged to achieve their fullest potential; and

WHEREAS, citizens of North Carolina should contribute to the equal employment opportunity efforts of our State; and

WHEREAS, the State Personnel Commission has established policies and programs for state government to achieve these goals.

NOW THEREFORE, by the authority vested in me as Governor by the Constitution and the laws of North Carolina, **IT IS ORDERED**:

Section 1. **Equal Employment Policies and Programs**

The policies and programs that have been adopted by the State Personnel Commission and approved by the Governor represent the commitment of the State and must be strictly followed and fully complied with by every state agency, department, and university.

Section 2. **Administration**

Each agency head, department head, and university chancellor is responsible for the successful implementation of these policies, programs, and this Order, and shall:

- (1) Designate an official at the deputy secretary or assistant secretary level to assume responsibility for the operation and implementation of their equal opportunity plan and program;
- (2) Designate the appropriate number of full-time equal employment opportunity (EEO) officers for every 500-1,500 employees to perform the full range of EEO responsibilities to ensure the development and implementation of an effective EEO plan and program that achieve the EEO objectives. The Office of State Personnel is authorized to review and approve the appropriateness of the number of designated EEO officers, considering organizational size, structure, and geographical dispersion. Agencies, departments, or universities with 1-499 employees shall designate a part-time EEO officer who shall have direct access to the agency, department, or university head or their designee as indicated in subsection (1) above;
- (3) Ensure that the EEO officers report directly to the agency head, department head, university chancellor, or the designated deputy or assistant secretary on EEO matters;
- (4) Ensure that the agency's, department's, or university's commitment to equal employment opportunity is clearly transmitted to all employees;
- (5) Provide adequate resources and support to the EEO officers in the development and implementation of the EEO plan and program designed to achieve the equal opportunity goals;
- (6) Ensure that personnel policies are administered fairly and personnel practices are nondiscriminatory;
- (7) Ensure that each supervisory and management employee has, as a part of his or her performance management work plan, responsibility to comply with EEO laws and policies; and

- (8) Provide reasonable accommodations for otherwise qualified individuals with disabilities who can perform the essential functions of the job in question if such accommodations are made. These accommodations shall be in accordance with the Americans with Disabilities Act (ADA) Title I rules and regulations and the ADA Amendments Act.

Section 3. Office of State Personnel

The State Personnel Director shall:

- (1) Provide technical assistance, resource/support programs, monitoring, and evaluation to assist agencies, departments, and universities in achieving their equal employment opportunity goals;
- (2) Review and approve all EEO plans and updates;
- (3) Develop systems to review, analyze, and evaluate trends and make recommendations to the Governor regarding all personnel policies and practices which affect all terms, conditions, and benefits of employment;
- (4) Design and implement monitoring and reporting systems to measure the effectiveness of agency, department, and university EEO programs and personnel practices;
- (5) Provide EEO and diversity training to managers, supervisors, and employees;
- (6) Develop, with the approval of the Governor and the State Personnel Commission, state government-wide EEO policies, programs, and procedures;
- (7) Develop and promote programs and practices to encourage fair treatment of all state employees;
- (8) Compile, analyze, and submit reports to the Governor which demonstrate the State's EEO progress;
- (9) Establish procedures for determining reasonable accommodations that result in a uniform and fair process for applicants and employees with disabilities;
- (10) Develop an EEO plan for state government; and
- (11) Meet with agency heads, department heads, and university chancellors annually to discuss the progress made toward reaching program goals.

Section 4. Reports and Records

The State Personnel Director shall submit quarterly reports to the Governor on each agency's, department's, and university's progress to ensure that its workforce is representative of the citizens of North Carolina and that all terms and conditions of employment are fair and non-discriminatory.

Section 5. Citizen Contribution

The North Carolina Human Relations Commission shall provide oversight and review of state government's implementation of the EEO program and goals, thereby ensuring citizen contributions to the program. The Commission shall advise the Governor and the State Personnel Director on the progress and make recommendations for their consideration.

Section 6. Veterans' Preference

Nothing in this order shall be construed to repeal or modify any federal, state, or local laws, rules, or regulations creating special rights or preferences for veterans.

Section 8. Effect and Duration

All other Executive Orders or portions of Executive Orders inconsistent with this Order are hereby rescinded. This Order specifically rescinds Executive Order No. 5 signed on March 8, 2001. This Executive Order shall be effective immediately and shall remain in effect until rescinded.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this seventh day of May in the year of our Lord two thousand and nine, and of the Independence of the United States of America the two hundred and thirty-third.




Beverly Eaves Perdue
Governor

ATTEST:


Elaine F. Marshall
Secretary of State